UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	**CASE NO. 9:11-CR-33(12)**
	§	
LOYD LEON MCELREATH, JR.	§	

MEMORANDUM ORDER
ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Hawthorn conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge. The magistrate judge recommended that the Court accept the Defendant's guilty plea, but defer acceptance of the plea agreement until the Court has had an opportunity to review the presentence report. He further recommended that the Court adjudge the Defendant guilty on Count Seventy-two (72) of the charging Indictment filed against the Defendant.

The parties have not objected to the magistrate judge's findings. The Court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge are **ADOPTED**. The Court accepts the Defendant's plea, but defers acceptance of the plea agreement until the Court has reviewed the presentence report.

It is further **ORDERED** that, in accordance with the Defendant's guilty plea and the magistrate judge's findings and recommendation, the defendant, Loyd Leon McElreath, Jr., is adjudged guilty as to Count Seventy-two of the Indictment charging a violation of Title 21, United States Code, Section 841(c)(2).

So **ORDERED** and **SIGNED** this **21** day of **December, 2011.**

Ron Clark, United States District Judge